



# Iowa Department of Human Services

Terry E. Branstad  
Governor

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Lt. Governor

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Director

## INFORMATIONAL LETTER NO.1737-MC-FFS-D

**DATE:** November 1, 2016

**TO:** All Iowa Medicaid Providers

**APPLIES TO:** Managed Care, Fee-for-Service, Dental

**FROM:** Iowa Department of Human Services (DHS), Iowa Medicaid Enterprise (IME)

**RE:** New Centers for Medicare and Medicaid Services (CMS) Guidance on Access and Cultural Considerations

**EFFECTIVE:** Immediately

This letter is intended to remind providers of the provisions within the [Iowa Medicaid Provider Agreement General Terms, 470-2965](#),<sup>1</sup> regarding adherence to applicable laws, rules, regulations, guidance and policies as they relate to Iowa Medicaid as well as advice of recent revisions to existing Medicaid managed care rules.

### **Iowa Medicaid Provider Agreement General Terms:**

As stated within sections 1.3, 1.4 and 5.13 of the [Iowa Medicaid Provider Agreement General Terms](#), Iowa Medicaid providers are to comply with all applicable federal and state laws, administrative rules and written policies of the Iowa Medicaid program. Said laws and regulations include but are not limited to Title XIX of the Social Security Act (as amended), the Code of Federal Regulations, the Federal anti-kickback statute and the Stark law, the provisions of the Code of Iowa and administrative rules of the Iowa Department of Human Services and written department policies, including but not limited to, policies contained in the Iowa Medicaid Provider Manuals, and the terms of the Iowa Medicaid Provider Agreement General Terms. At the time of consent and submission, all parties to the Agreement expressly indicate their mutual intent to incorporate into the Agreement all applicable laws, rules, regulations, guidance, and policies as they existed at the time of Agreement execution as well as all future amendments, changes, and additions to all applicable laws, rules, regulations, guidance, and policies.

### **U.S. Code of Federal Regulations Update Regarding Medicaid Managed Care:**

New guidance has been issued by CMS on Access and Cultural Considerations as they relate to Medicaid managed care. [Section § 440.262](#)<sup>2</sup> of the U.S. Code of Federal Regulations (42 CFR 440.262) stipulates that the State must have methods to promote access and delivery of services in a culturally competent manner to all beneficiaries, including

<sup>1</sup> [https://dhs.iowa.gov/sites/default/files/470-2965%20Iowa%20Medicaid%20Provider%20Agreement%20General%20Terms\\_1.pdf](https://dhs.iowa.gov/sites/default/files/470-2965%20Iowa%20Medicaid%20Provider%20Agreement%20General%20Terms_1.pdf)

<sup>2</sup> [https://www.govregs.com/regulations/title42\\_chapterIV\\_part440\\_subpartB\\_section440.262](https://www.govregs.com/regulations/title42_chapterIV_part440_subpartB_section440.262)

those with limited English proficiency, diverse cultural and ethnic backgrounds, disabilities, and regardless of gender, sexual orientation or gender identity. These methods must ensure that beneficiaries have access to covered services that are delivered in a manner that meet their unique needs.

These requirements are effective as of May 6, 2016.

This guidance is being issued by the IME to assist providers with coming into compliance.

This letter is not exhaustive and the IME strongly encourages providers to review [42 CFR 440.262](#)<sup>1</sup>.

If you have any questions, please contact the IME Provider Services Unit at 1-800-338-7909 or email [imeproviderservices@dhs.state.ia.us](mailto:imeproviderservices@dhs.state.ia.us).

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<sup>1</sup> [https://www.govregs.com/regulations/title42\\_chapterIV\\_part440\\_subpartB\\_section440.262](https://www.govregs.com/regulations/title42_chapterIV_part440_subpartB_section440.262)